UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/596,901	06/28/2006	Gerrit Hollemans	2004P00124WOUS	1985

24737   7590   07/21/2011
PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER
HUR, ECE

ART UNIT	PAPER NUMBER
2172	

NOTIFICATION DATE	DELIVERY MODE
07/21/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

vera.kublanov@philips.com
debbie.henn@philips.com
marianne.fox@philips.com

	Application No.	Applicant(s)
Office Action Summary	10/596,901	HOLLEMANS ET AL.
	Examiner	Art Unit	
	ECE HUR	2172	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *10 June 2011*.

2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1,6-10,14-16,18 and 20-24* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1,6-10,14-16,18 and 20-24* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *19 February 2009* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

        1. ☒ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to Response/Arguments filed on June 10, 2011 in which Claims 1, 6-10, 14-16, 18, 20-24 are pending.

Status of Claims

Claims 1, 6-10, 14-16, 18, 20-24 are pending in the case. Claims 1, 14, 18 are independent Claims.
Claims 1, 6-10, 14-16, 18, 20-24 are rejected under 35 U.S.C. 103(a).

Response to Arguments

Applicant's arguments filed June 10, 2011 have been fully considered. See rejection for details. Applicant argued:

1) Applicant's remarks with respect to amended Claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under

35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was

commonly owned at the time any inventions covered therein were made absent any evidence to

the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor

and invention dates of each claim that was not commonly owned at the time a later invention was

made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35

U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1, 6-10, 14-16, 18, 20, 21 are rejected under 35 U.S.C. 103(a) as being

unpatentable by Shalit et al., US 5,714,971 in view of Freeze, Internet Explorer 5,

1999 in further view of McCollum, US 20030112467 in further view of Sommer, US

20040100504 .

Regarding Claim 1, Shalit discloses the claimed aspect of *a system having a*

graphical user interface for navigating through content, the system comprising a display

having: a navigation history panel wherein navigation history data is displayed, and at

least a first panel displaying a first menu of a content structure, the first menu

comprising one or more selectable items, multiple static panel, wherein the navigation

history data displayed in the history panel is updated with reference to the selection of

items in the first static panel in FIG. 2D, FIG. 8, wherein the ability of navigation through

content structure is illustrated. (Shalit, FIG. 2D(also navigation history, ARM Support

selected in the first panel), Column 1, lines 49-51, Abstract, Column 9, lines 19-20, FIG.

8, Navigation history).

Shalit does not specifically teach the claimed aspect of the *navigation history*

data provides a reference for at least one of a number of selections in accordance with

a plurality of criteria, however Freeze discloses the claimed aspect in FIG. 3.5, wherein

a navigation history panel is illustrated with plurality of criteria to display the selected

items. (Freeze, Page 30).

It would be obvious to one of ordinary skill in the art at the time of the invention to

display navigation history by plurality of criteria Shalit's navigation history panel,

because this would allow the user to filter certain items that the user needs.

Shalit does not specifically disclose the claimed aspect of *there exists at least*

one route for navigating through said content to arrive at the said at least first panel,

however Freeze discloses the claimed aspect in FIG. 3.5, wherein there are option such

as Last Week, Monday, Tuesday, Today and user navigates from Today to content

listing and the user selects a specific content from the listing. It would be obvious to

one of ordinary skill in the art at the time of the invention to add this feature to Shalit's

first panel because this would allow the user to view the information within same panel

depending on user's preferences.

Shalit discloses the claimed aspect of *first, second, third static panel, at least a third panel for displaying a first sub-sub-menu of a currently highlighted item of the first sub-menu of the second static pane,* at least a second static panel/section/area for displaying a first sub-menu of a currently highlighted item of the first menu in FIGs. 2 D, 7, 8 wherein static panels are illustrated. Shalit and Freeze do not specifically disclose the claimed aspect of *first menu in the first panel is replaced with the first submenu of the second static panel upon selection of said currently highlighted item of the first menu displayed in the first panel,* however McCollum discloses the claimed aspect in FIGs. 4C, 4D, 4E, wherein once said selection element identifies a sub-element from said first plurality of sub-elements, said first plurality of sub-elements shifts to an area previously occupied by said first plurality of selectable menu elements and a second plurality of sub-elements associated with an identified one of said first plurality of sub-elements shifts to an area previously occupied by said first plurality of sub-elements. (McCollum, FIGs. 4C, 4D, 4E, Paragraphs 0052, 0053, Claim 21). It would be obvious to one of ordinary skill in the art at the time of the invention to add this feature to Shalits' two panel and Freeze's navigation because this would allow to view menus more efficiently on a small screen device.

Shalit, Freeze and McCollum do not disclose the claimed aspect of *the first sub-menu in the second static panel is replaced with the first sub-sub-menu of the third static panel upon selection of said currently highlighted item of the first menu displayed in the first panel(sub menus are result of selection an item in the first panel), the first sub-sub-menu in third panel is replaced with a sub-sub-sub-menu of currently*

highlighted item of the first sub-sub-menu of the third static panel(indication of fourth

panel), however Sommer discloses the claimed aspect in FIGs. 7, 11, wherein third

menu 195 replaces second menu 145, and third menu 195 is the last menu in a

hierarchy scheme of item selection system 100, second menu space 135 may not

include a menu. Specifically, in this embodiment, when cursor 190 selects one of the

items in third menu 195, the selection process is complete, and the user will be able to

view the selected movie, play the selected game, or the like. Nevertheless, when third

menu 195 replaces second menu 145, and third menu 195 is not the last menu in the

hierarchy scheme of item selection system 100, a fourth menu (not shown) may replace

third menu 195 within second menu space 135. It will readily be understood by those of

ordinary skill in the art that this replacement process may continue until the last menu

available to the user is positioned in first menu space 130. (Sommer, Paragraph 0043).

It would be obvious to one of ordinary skill in the art at the time of the invention to add

this concept of third panel displaying first-sub-sub menu to Shalit's two panel, Freeze's

navigation and McCollum's menu replacement

Regarding Claim 6, Shalit, Freeze, McCollum, Sommer teach all of any

preceding Claims. See the rejection of preceding Claims for details. Shalit discloses the

claimed aspect of the navigation history data comprises a reference to previously

selected menu(s) in FIG. 9E, wherein ARM Support and Level-1 is illustrated.

Regarding Claim 7, Shalit, Freeze, McCollum, Sommer teach all of any preceding Claims. See the rejection of preceding Claims for details. Shalit discloses the claimed aspect of navigation history data is displayed as pictograms in FIG. 9E, wherein icons are illustrated next to the items in the first panel.

Regarding Claim 8, Shalit, Freeze, McCollum, Sommer teach all of any preceding Claims. See the rejection of preceding Claims for details. Shalit discloses the claimed aspect of one or more layered panels show the navigation history in FIG. 9E, wherein navigation history is illustrated.

Regarding Claims 9 and 10, Shalit, Freeze, McCollum, Sommer teach all of any preceding Claims. See the rejection of preceding Claims for details. Shalit discloses the claimed aspect of the content structure includes a main menu starting point, the navigation history data includes navigation history data starting from the main menu starting point in FIG. 9E, wherein Leibniz is the main menu.

Regarding Claim 14, Claim 14 and Claims 1-4 are similar in scope and rejected under similar rationale. See rejection details for Claims 1-4.

Regarding Claim 15, Shalit, Freeze, McCollum, Sommer teach all of Claim 14. See the rejection of Claim 14 for details. The rejection for Claims 3 and 4 apply to Claim 15. See rejection details for Claims 3 and 4.

Regarding Claim 16, Shalit, Freeze, McCollum, Sommer teach all of Claim 15. See the rejection of Claim 15 for details. Shalit discloses the claimed aspect of the selection of an active element causes the navigation to revert to the selected data in the navigation history data in FIG. 9E, wherein Level-1 is selected.

Regarding Claim 18, Claim 18 and Claims 1 and 14 are similar in scope and rejected under similar rationale. See rejection details for Claims 1 and 14.

Regarding Claim 20, Claim 20 and Claim 1 are similar in scope and rejected under similar rationale. See rejection details for Claim 1.

Regarding Claim 21, Shalit, Freeze, McCollum, Sommer teach all of Claim 1. See the rejection of Claim 1 for details. Shalit discloses the claimed aspect of selection of said currently highlighted item of the first sub- sub-menu displayed in the third panel in FIG. 8. Shalit and Freeze do not specifically disclose the claimed aspect of the first menu in the first panel is replaced with the first sub-menu of the second static panel, however McCollum discloses the claimed aspect in FIGs. 4C, 4D, 4E, wherein once said selection element identifies a sub-element from said first plurality of sub-elements, said first plurality of sub-elements shifts to an area previously occupied by said first

plurality of selectable menu elements and a second plurality of sub-elements associated

with an identified one of said first plurality of sub-elements shifts to an area previously

occupied by said first plurality of sub-elements. (McCollum, FIGs. 4C, 4D, 4E,

Paragraphs 0052, 0053, Claim 21). It would be obvious to one of ordinary skill in the art

at the time of the invention to add this feature to Shalits' two panel and Freeze's

navigation because this would allow to view menus more efficiently on a small screen

device.

Shalit, Freeze, McCollum do not specifically disclose the claimed aspect of the

first sub-menu in the second static panel is replaced with the first sub-sub-menu of the

third static panel upon selection of said currently highlighted item of the first sub-sub-

menu displayed in the third panel, wherein the first sub-sub-menu in the third panel is

replaced with a sub-sub- sub-menu of a currently highlighted item of the first sub-sub-

menu displayed in the third panel, however Sommer discloses the claimed aspect in

FIGs. 7, 11, wherein third menu 195 replaces second menu 145, and third menu 195 is

the last menu in a hierarchy scheme of item selection system 100, second menu space

135 may not include a menu. Specifically, in this embodiment, when cursor 190 selects

one of the items in third menu 195, the selection process is complete, and the user will

be able to view the selected movie, play the selected game, or the like. Nevertheless,

when third menu 195 replaces second menu 145, and third menu 195 is not the last

menu in the hierarchy scheme of item selection system 100, a fourth menu (not shown)

may replace third menu 195 within second menu space 135. Additionally, if the user

selects an item in a panel it will have further sub menus and since current sub-menu will

be replaced with sub-sub menu and that sub menu has to go to the previous panel. It

will readily be understood by those of ordinary skill in the art that this replacement

process may continue until the last menu available to the user is positioned in first menu

space 130. (Sommer, Paragraph 0043). It would be obvious to one of ordinary skill in

the art at the time of the invention to add this concept of panel replacement to Shalit's

third panel selection, Freeze's navigation and McCollum's menu replacement.

Claims 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable by Shalit

et al., US 5,714,971 in view of Freeze, Internet Explorer 5, 1999 in further view of

McCollum, US 20030112467 in further view of Sommer, US 20040100504 in further

view of Clarke, US 7,062,453.

Regarding Claim 22, Shalit, Freeze, McCollum, Sommer teach all of Claim 1.

See the rejection of Claim 1 for details. Sommer discloses the concept of plurality

panels/menus, wherein third menu 195 is not the last menu in the hierarchy scheme of

item selection system 100, a fourth menu (not shown) may replace third menu 195

within second menu space 135. It will readily be understood by those of ordinary skill in

the art that this replacement process may continue until the last menu available to the

user is positioned in first menu space 130. (Sommer, Paragraph 0043).

Shalit, Freeze, McCollum does not specifically disclose the claimed aspect of

number of static panels may be selected by a user in accordance with a user

preference, however Clarke discloses the claimed aspect in FIGs. 2, 5A, wherein the number of submenus is not limited to five. A greater or lesser number of submenus may be used for each product category, depending on how many refined or specific subcategories or desired(preference). (Clarke, Column 4, lines 20-25). It would be obvious to one of ordinary skill in the art at the time of the invention to add this feature of preferred number of panels/menus to Shalit's plurality of panel, Freeze's navigation and McCollum's menu replacement, Sommer's menu replacement because this would allow the user to use the interface efficiently specially in small screen devices.

Regarding Claim 23, Shalit, Freeze, McCollum, Sommer , Clarke teach all of Claim 22. See the rejection of Claim 1 for details. Sommer discloses the concept of plurality panels/menus, wherein third menu 195 is not the last menu in the hierarchy scheme of item selection system 100, a fourth menu(within the range of 0-8) (not shown) may replace third menu 195 within second menu space 135. It will readily be understood by those of ordinary skill in the art that this replacement process may continue until the last menu available to the user is positioned in first menu space 130. (Sommer, Paragraph 0043).

Shalit, Freeze, McCollum does not specifically disclose the claimed aspect of the number of static panels are in the range of 0-8, however Clarke discloses the claimed aspect in FIGs. 2, 5A, wherein the number of submenus is not limited to five(within range 0-8). A greater or lesser number of submenus may be used for each product

category, depending on how many refined or specific subcategories or

desired(preference). (Clarke, Column 4, lines 20-25). It would be obvious to one of

ordinary skill in the art at the time of the invention to add this feature of preferred

number of panels/menus to Shalit's plurality of panel, Freeze's navigation and

McCollum's menu replacement, Sommer's menu replacement because this would allow

the user to use the interface efficiently specially in small screen devices.

Regarding Claim 24, Shalit, Freeze, McCollum, Sommer , Clarke teach all of

Claim 22. See the rejection of Claim 1 for details. Sommer discloses the concept of

plurality panels/menus, wherein third menu 195 is not the last menu in the hierarchy

scheme of item selection system 100, a fourth menu(within the range of 0-8) (not

shown) may replace third menu 195 within second menu space 135. It will readily be

understood by those of ordinary skill in the art that this replacement process may

continue until the last menu available to the user is positioned in first menu space 130.

(Sommer, Paragraph 0043).

Shalit, Freeze, McCollum does not specifically disclose the claimed aspect of the

number of static panels depend on the content to be browsed by a user and the amount

of detail the user wishes to be shown, however Clarke discloses the claimed aspect in

FIGs. 2, 5A, wherein the number of submenus is not limited to five. A greater or lesser

number of submenus may be used for each product category, depending on how many

refined or specific subcategories(subcategories have content, the more menu/panel the

more content and detail) or desired(preference). (Clarke, Column 4, lines 20-25). It

would be obvious to one of ordinary skill in the art at the time of the invention to add this

feature of preferred number of panels/menus' content to Shalit's plurality of panel,

Freeze's navigation and McCollum's menu replacement, Sommer's menu replacement

because this would allow the user to use the interface efficiently specially in small

screen devices.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

> 1) Holtzblatt et al., US 20010038395, "Method and System for Accessing Information, history panel". Paragraph 0034, navigation panel; the history panel is updated.
>
> 2) Bergsten et al., US 20030001907, "Method and Apparatus For Scrollable Cross-Point Navigation In A User Interface".
>
> 3) Minard, US 6,247,020, Navigation pane include selecting of a current node, navigation pane is updated. Column 9, lines 4-12.
>
> 4) Wassom, US 7,617,458, "Managing Navigation and History Information", Column 2, lines 30-43.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ECE HUR whose telephone number is (571) 270-1972. The examiner can normally be reached on Mon-Thurs 7:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boris Pesin can be reached on 571-272-4070. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

July 11, 2011
Ece Hur
E.H. /e.h.

/Boris Pesin/

Supervisory Patent Examiner, Art Unit 2172